

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION : Administrative Action  
OR REVOCATION OF THE LICENSE OF :  
:   
CHRISTINE KETZ, RN : FINAL ORDER  
License # 26NR15074800 : OF DISCIPLINE  
:   
TO PRACTICE NURSING IN THE :  
STATE OF NEW JERSEY :

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Christine Ketz ("Respondent") is a Registered Professional Nurse (RN) in the State of New Jersey and has been a licensee at all relevant times.

2. The Board received information that Respondent was arrested on March 16, 2012 by members of the Kearny police department and charged with violating N.J.S.A. 2C:35-10(a)(1) (Possess Controlled Dangerous Substance), N.J.S.A. 2C:36-2 (Possess Drug Paraphernalia), N.J.S.A. 2C:28-6 (Tamper with

Physical Evidence), and N.J.S.A. 2C:5-2 (Conspiracy Tamper with Physical Evidence).

3. On or about March 19, 2012, the Board sent Respondent a letter of inquiry, to her mailing address in North Arlington, New Jersey, via regular and certified mail, seeking information regarding her nursing employment, continuing education, and the March 16, 2012 arrest/criminal case. The regular mailing was not returned. The certified mail receipt was returned, albeit unsigned.

4. Respondent partially responded to the Board's letter of inquiry by providing a one page note with a fax date of June 8, 2012. Respondent maintained that her criminal case was still pending, she was not working, she was entering the hospital at that time for treatment which was expected to last one month, and she would gather all remaining information and documentation, including proof of completion of continuing education, and send it to the Board when she got out of treatment. The Board received no further communication from Respondent. Respondent failed to provide the following information: police report with all supporting statements, municipal court complaint, accusation, indictment, plea agreement, court disposition, sentencing information, conditions

of probation, proof of payment of assessment, proof of completion of probation or other sentence, information about Respondent's employer at the time of her arrest (employer, job title, dates of employment, shift, type of unit worked, most recent performance evaluation), a detailed narrative of Respondent's version of the conduct or events which led to her arrest, and proof that she is up to date with her continuing education.

6. As a result of her March 16, 2012 arrest, the Board received information that Respondent was found guilty in the Hudson County Superior Court of violating N.J.S.A. 2C:33-2.1 (Obtain/Sell Controlled Dangerous Substance in Public) and sentenced to one year probation and assessed one hundred and fifty dollars (\$150).

#### CONCLUSIONS OF LAW

Respondent's failure to fully respond to the Board's inquiry constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct within the meaning of N.J.S.A. 45:1-21(e), and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

Respondent's March 2013 conviction of obtaining/selling

controlled dangerous substances in public subjects Respondent to discipline pursuant to N.J.S.A. 45:1-21(f) in that Respondent has been convicted of, or engaged in acts constituting, a crime or offense relating adversely to nursing.

Lastly, Respondent's drug related arrest and conviction raise sufficient concern such that testing, monitoring, evaluation, and treatment are warranted, as a condition for continued or reinstated licensure, to evaluate whether Respondent's continued practice as a nurse may jeopardize the safety and welfare of the public pursuant to N.J.S.A. 45:1-22(f) and to ensure that Respondent can properly discharge nursing functions pursuant to N.J.S.A. 45:1-22(e).

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on June 17, 2014, provisionally suspending respondent's nursing license, and imposing a reprimand and a total of \$1,500 in civil penalties. A copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for

modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order, but nevertheless still failed to provide significant information requested, including a copy of the municipal court complaint or indictment, or any police report; a copy of the plea agreement; information about the status of her probation; and information about her employment; as well as a detailed narrative statement setting forth her version of what led to the arrest. Respondent, in mitigation, pointed out that some of the criminal charges against her had been dropped, that she had completed continuing education, and had participated in an inpatient substance abuse program. Respondent documented completion of that program. The Board considered, however, that respondent's conviction on charges of loitering to obtain or distribute a controlled dangerous substance relate adversely to the practice of nursing, and that the program in which respondent had participated indicated that further monitoring would be appropriate. Accordingly, the Board considered this matter, and determined

that no discrepancies had been raised with regard to the findings and conclusions of the Provisional Order, and that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 19<sup>th</sup> day of September, 2014

ORDERED that:

1. Respondent's license to practice nursing is suspended for a minimum of six months and until Respondent provides all the requested information in the Board's March 19, 2012 letter of inquiry and demonstrates, to the satisfaction of the Board, that she is fit, competent, and rehabilitated.

2. The Board will not entertain an application for reinstatement from Respondent unless and until Respondent completes a comprehensive mental health and substance abuse evaluation under the auspices of the Board's designated intervention program, the Recovery And Monitoring Program (RAMP), demonstrates that she is fit and competent to practice nursing, that she is in full compliance with any agreement with RAMP, that RAMP supports her return to practice, and provides all requested information regarding her arrest and conviction.

3. By undergoing evaluation, Respondent expressly waives any claim of privilege or confidentiality that she may have concerning RAMP reports and disclosures to the Board, and use by

the Board of that information in any proceedings.

4. All costs associated with the evaluation, monitoring, and/or treatment outlined above shall be the responsibility of, and paid directly by, Respondent.

5. A civil penalty in the total amount of one thousand five hundred dollars (\$1,500) is hereby imposed upon Respondent, which includes a one thousand dollar (\$1,000) civil penalty pursuant to N.J.S.A. 45:1-21(f) (conviction) and a five hundred dollar (\$500) civil penalty pursuant to N.J.S.A. 45:1-21(e) (professional misconduct for failing to cooperate with a Board investigation). Payment shall be made by certified check or money order payable to the "State of New Jersey," delivered to George Hebert, Executive Director, State of Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than fifteen (15) days after the entry of any Final Order of Discipline in this matter. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

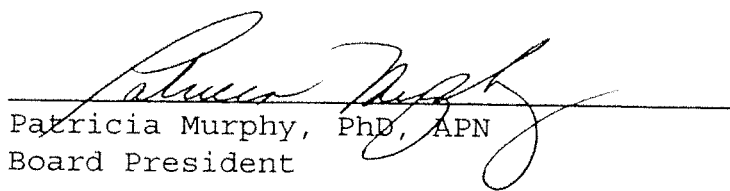
6. Respondent is hereby reprimanded for her violation of N.J.S.A. 45:1-21(f).

7. Respondent shall refrain from practicing nursing and

shall not represent herself as a registered professional nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: \_\_\_\_\_

  
Patricia Murphy, PhD, APN  
Board President